

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MATTHEW IZEH,

Plaintiff,

-against-

CORRECTION OFFICERS; DEPARTMENT  
OF CORRECTIONS; THE WARDEN OF  
CORRECTION; THE INMATE (JOHNSON,  
WILLIAMS, BOWMAN, THONE),

Defendants.

23-CV-0233 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated February 21, 2023, the Court directed Plaintiff to file an amended complaint within 60 days of the date of that order. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an amended complaint. Accordingly, the complaint, filed *in forma pauperis* (“IFP”) under 28 U.S.C. § 1915(a)(1), is dismissed for failure to state a claim on which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to enter judgment in this action.

SO ORDERED.

Dated: May 22, 2023  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge